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Filing date: **06/12/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91178927
Party	Plaintiff Royal Crown Company, Inc. and Dr. Pepper/Seven Up, Inc.
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Submission	Other Motions/Papers
Filer's Name	Laura Popp-Rosenberg
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Signature	/Laura Popp-Rosenberg/
Date	06/12/2013
Attachments	Document Stipulation (F1243794).PDF(13191 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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ROYAL CROWN COMPANY, INC.	:	
and DR PEPPER/SEVEN UP, INC.,	:	
	:	<u>Consolidated Proceedings</u>
Opposers,	:	Opposition No. 91178927
	:	Opposition No. 91180771
	:	Opposition No. 91180772
- against -	:	Opposition No. 91183482
	:	Opposition No. 91185755
THE COCA-COLA COMPANY,	:	Opposition No. 91186579
	:	Opposition No. 91189847
Applicant.	:	Opposition No. 91190658
-----	X	

— and —

-----	X	
THE COCA-COLA COMPANY,	:	
	:	
Opposer,	:	
	:	
- against -	:	Opposition No. 91184434
	:	
ROYAL CROWN COMPANY, INC.	:	
and DR PEPPER/SEVEN UP, INC.,	:	
	:	
Applicants.	:	
-----	X	

**STIPULATION REGARDING AUTHENTICATION
AND USE OF DOCUMENTARY EVIDENCE AT TRIAL**

Pursuant to Trademark Rule of Practice 2.122 and Trademark Board Manual of Procedure 704.11(7) and 705, the parties, through their undersigned counsel, stipulate as follows:

1. On the deadline for service of a party’s pretrial or rebuttal disclosures, that party (the “Disclosing Party”) may serve, by email, a list (a “Proposed Document List”) of documents produced by the other party (the “Producing Party”) upon which the Disclosing

Party may rely at trial. For each document, the Disclosing Party shall propose a description of the document for use at trial, such as “An advertisement for COCA-COLA ZERO beverage, produced by TCCC as document No. [X].”

2. Within seven (7) days of receiving the Disclosing Party’s Proposed Document List, the Producing Party will: (a) advise the Disclosing Party in writing, as to each document and description, whether the description is agreeable as drafted, and, if not, provide a suggested alternate description that is acceptable to the Producing Party; and (b) advise the Disclosing Party whether the Producing Party intends to raise any evidentiary objection(s) with respect to the document or description and the basis of each such objection. The parties will thereafter confer by telephone and attempt to resolve any open issues, either as to document description or evidentiary objections, in good faith.

3. Once the parties have agreed on the description for a particular document, the Disclosing Party may, subject to any unresolved evidentiary or other objections, offer that document into evidence at trial through a Notice of Reliance on Stipulated Documents (a “Notice”), which Notice shall include the description agreed by the parties and shall include the document as an exhibit.

4. The parties hereby agree and stipulate that documents offered through a Notice consistent with the terms herein shall be considered authenticated and identified for purposes of Federal Rule of Evidence 901, and no further proof of authentication shall be required.

5. The parties further agree and stipulate that each document identified in a Notice as a “business record” in the corresponding description shall not be subject to a hearsay objection pursuant to Federal Rule of Evidence 803(6).

6. The Producing Party reserves all other evidentiary or other objections to the documents introduced through a Notice. Nothing in this Stipulation is intended or shall be deemed to limit a party's ability, at any time, to assert evidentiary or other objections to proffered documents.

7. Nothing in this Stipulation is intended to or shall be deemed to limit the means by which a party can make documents of record at trial, the means by which a party can authenticate or lay an evidentiary foundation for documents to be introduced at trial, or a party's ability to rely on any document properly made of record at trial.

SO STIPULATED AND AGREED, this 12th day of June, 2013:

FROSS ZELNICK LEHRMAN & ZISSU, P.C. KING & SPALDING LLP

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Attorneys for The Coca-Cola Company

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of the foregoing STIPULATION REGARDING AUTHENTICATION AND USE OF DOCUMENTARY EVIDENCE AT TRIAL to be deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to counsel for The Coca-Cola Company, Bruce W. Baber, Esq., King & Spalding LLP, 1185 Avenue of the Americas, New York, New York 10036-4003, this 12th day of June, 2013.

/Laura Popp-Rosenberg/

Laura Popp-Rosenberg